

OGC Has Reviewed

3 April 1973

MEMORANDUM FOR: Legislative Counsel

SUBJECT: Conflicts of Interest

1. Following is the text of the two paragraphs in our Conflicts of Interest regulation, [REDACTED] which applies to former employees:

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(4) He may not, after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and in which he participated personally and substantially for the Government (18 U. S. C. 207(a)).

(5) He may not personally represent, for one year after his Government employment has ended, anyone other than the United States in connection with a matter in which the United States is a party or has an interest and which was within the boundaries of his official responsibility during the last year of his Government service (18 U. S. C. 207(b)). This temporary restraint of course gives way to the permanent restriction described in subparagraph d(4) immediately above if the matter is one in which he participated personally and substantially.

The statutes cited in these regulations are designed to prevent former Government employees from representing outside parties in claims against the Government concerning matters with which the employee was involved during the term of his employment.

2. We know of no representation of [redacted] undertaken by Mr. McCone in his conversations with the Director nor of any issue between [redacted] and the Government in which Mr. McCone intervened as representing [redacted]. So far as we are aware, Mr. McCone was asking for an appointment for [redacted] or an exchange of views on the Chilean situation, and I can see nothing wrong in such an action.

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3. I would be very reluctant to see us raise any bar, by regulation or otherwise, to contacts with former employees who move into the private sector. Indeed, quite frequently such former employees introduce us to business or other associates who can furnish useful intelligence in line with our program of obtaining foreign intelligence from domestic sources.

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LAWRENCE R. HOUSTON
General Counsel

OGC:LRH:jeb

1-OGC subject Liaison-Govt-[redacted] Case Filed
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